

DIST/OFFICE	DOCKET		FILING DATE			J	N/S	O	R	R 23	DEMAND		JUDGE NUMBER	JURY DEM.	YR.	DOCKET NUMBER
	YR.	NUMBER	MO.	DAY	YEAR						\$	40				
1085/4	76	0030	1	30	76	4	110	2	13				8510		76	0030-C

<p style="text-align: center;">PLAINTIFFS</p> <p>CHARLOTTE MEIER YOUNG, in person and as Assignee in trust for her minor sons, Norbert Nelson and Ulrich Waldemar Young</p>	<p style="text-align: center;">DEFENDANTS</p> <p>FIDELITY UNION LIFE INSURANCE COMPANY, a stock company, Dallas, Texas</p>
<p>CAUSE</p> <p>Removal by defendant of a cause of action in which the plaintiff seeks judgment in the amount of \$40,000.00. Originally filed in the District Court in and for Creek County.</p>	

<p>ATTORNEYS</p>	
<p>Wesley R. Thompson, Esquire Two North Main , P.O. Box 1364 Sapulpa, Oklahoma 74066 <i>224-3131</i></p> <p>Glenn O. Young P. O. Box 1086 Sapulpa, OK 74066 <i>224-3131</i></p>	<p>Elsie Draper Charles C. Baker James Sturdivant 2010 Fourth National Bank Bldg. Tulsa, Oklahoma 74119 582-9201</p>

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	2-1-76
				JS-6	4-1-77

DATE	NR.	PROCEEDINGS
<u>1976</u>		
1-30	1.	Petition for removal, filed, from Dist. Court of Creek Co., Okla. ph
1-30	2.	Bond for removal, filed. ph
1-30	3.	Notice of removal, filed. ph
1-30	4.	Clerk's certificate on transcript of record, filed. ph
1-30	5.	Affidavit of filing petition for removal in state court, filed. ph
1-30	6.	Affidavit of filing pet. for removal in State Ct., filed. (return requested by certified mail). ph
2-3	7.	Deft.'s mot. for time til 2-20-76 to ans., filed.k
2-3	8.	Order, filed, granting deft. til 2-20-76 to answer. (JCS-Clk)k cps mld
2-11	9.	ANSWER, filed by deft. FidelityUnion Life Ins. Co.jj
2-11	10.	INTERROGATORIES to Pltf., filed.jj
2-11	11.	Motion to Strike filed by deft.jj
2-11	12.	Memorandum Brief in Support of Mtn. to Strike, filed.jj
2-11	MO:	It is Ordered by the Court that pltf. is granted 10 days from this date to file responsive brief.(HDC-J)jj
2-11	13.	Deft's. Mtn. for Prod. of Documents, filed.jj
2-13	14.	Pltf's applic. for ext. of time, filed. hm
2-13	15.	Order, filed, granting pltf. until 3-22-76 to file resp. brief to mo/strike. (HDC-J)hm (copies mailed by pltf.)
3-12	16.	Pltf. answer to first set of interrogatories, filed. rm
3-22	17.	Memo Brf. in opposition to Deft's Mot. to Strike,filed.t
3-23	18.	Interrogatories to defendant, filed. g
4-23	19.	Ordered that deft's mo/strike in regard to atty's fees and punitive damages is sustained. (HDC-J)ph cps mld
4-30	20.	Deft's ans. and objections to interrogs. of pltf., filed. ph
5-13	MO;	Case set for PT on 8-5-76 at 11:30 a.m.(HDC-J)ph notices mld.
6-15	21.	Entry of appearance as atty of record for pltf. is Glenn O. Young, filed. ph
7-30	22.	Notice of intention to move for leave to intervene and make addit. parties at PT, filed. ph
8-5	MO:	Pre-trial hearing held. Statements made. Pltf. directed to ans. deft's interrog. within 10 days & to respond to mo/prod. of documents at same time. PT conf. memorandum filed in open court. Mo/intervenor for leave to intervene & make addit. parties at PT filed in open court. Deft. given 10 days to file objections to said mo/intervene. Case set for N/J trial 11-15-76 at 9:30 a.m. (2nd case) & PT order to be filed by 8-31-76.
8-5	23.	Pretrial conference memorandum, filed in open court. hm
8-5	24.	Motion of intervenor for leave to intervene & make addit. parties at pre-trial, filed in open court. hm
8-12	25.	Deft's obj. to motion of intervenor for leave to intervene and make additional parties at PT, filed. ph
8-12	26.	Brief in support of deft's obj. to motion of intervenor for leave to intervene and make additional parties at PT, filed. ph

(cont)

PLAINTIFF	DEFENDANT	DOCKET NO. <u>76-C-30</u>
Charlotte Meier Young, et al	Fidelity Union Life Ins. Co.	PAGE <u>3</u> OF <u>2</u> PAGES

DATE	NR.	PROCEEDINGS
<u>1976</u>		
8-13	27.	Pltf's ans. to deft's motion for production of documents, filed.ph
8-13	28.	Supplemental ans. to pltf's interrogs, filed by pltf. ph
8-23	29.	Intervenor's motion for leave to reply to brief in support of deft's obj. for leave to intervene and make additional parties at PT w/ order granting same., filed. (HDC-J)ph cps mld
8-31	30.	Appl. of pltf. for ext. of time to file pre-trial order, filed.rm
9-2	31.	Amended supplemental ans. of deft. to interrogs. of pltf., filed. ph
9-7	32.	Order, filed, that pltf. is granted 15 days from 8-31-76 to file PT order. (HDC-J)ph cps mld
9-8	33.	Appli. for leave to amend answer, filed. lm
9-15	34.	Order, filed, that deft. is allowed to file amended ans. (HDC-J)ph cps mld
9-15	35.	Deft's first amendment to ans., filed. ph
9-15	36.	PT Order, filed. (HDC-J)ph cps mld
10-14	37.	Order, filed, that Motion to Intervene and Add Additional Parties filed by Glenn O. Young is overruled. (HDC-J)ph cps mld
10-15	38.	Motion and brief for summary judgment by def, filed, with affidavit of Glen Darrell Rinehart attached. rm
10-18	MO:	Ordered by the Ct. that pltf. is granted 10 days to respond to mo/SJ of def. (HDC-J)rm-letter
10-26	39.	Stipulation of parties for ext. of time to respond to def. mo/SJ and to file pltf. mo/SJ; and for cont. of non-jury trial, filed.rm
10-27	40.	Appl. of pltf. for ext. of time to respond to def. mo/SJ, filed.rm
10-27	41.	Order, filed, that pltf. is granted until 11-10-76 to resp. to deft's mo/SJ. (HDC-J)ph cps mld
11-1	42.	Order, filed, that pltf. is granted until 11-10-76 to resp. mo/SJ; and case is stricken from N/J docket of 11-15-76. (HDC-J)ph cps mld
11-3	--	Deposition of Lance Leipold taken on behalf of pltf., filed. (J. Arechiga-NP)ph(\$123.00 pd)
11-10	43.	Pltf's brief in oppos. to deft's motion for S/J, filed. ph
11-10	44.	Pltf's motion for S/J, filed. ph
11-10	45.	Brief in support of pltf's motion for S/J, filed. ph'
11-10	46.	Affidavit of Charlotte Meier Young, filed. ph
11-10	47.	Affidavit of Glenn O. Young, filed. ph
11-10	MO:	It is ordered by the Ct. that the deft. file a resp. brief within 10 days to the Pltf's Motion for S/J. (HDC-J)ph cps mld
11-22	48.	Deft's brief in oppos. to pltf's motion for S/J, filed. ph
12-8	49.	Pltf's resp. to deft's brief in oppos. to pltf's mo/SJ, filed. ph
<u>1977</u>		
3-17	50.	Order, filed and entered, that the deft. was libel under the insurance policy from the date of appl. and that said policy had lapsed prior to the time of the insured's death; therefore, pltf's mo/SJ is overruled and deft's motion for S/J is sustained. (HDC-J)ph cps mld

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 76-C-30-C
Charlotte Meier Young		Fidelity Union Life Ins. Co	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1977			
3-18	51	Order, fld. pursuant to Rule 60(a), federal rules of civil procedure, the Ct. hereby files an Amended Order in the above-styled action to correct certain clerical errors appearing therein. It is so ordered. (HDC-J) cps mld. ho	
3-18	52	Amended Order. fld. & entered. (HDC-J) cps mld. ho	
3-25	53.	Pltf's mo/vacate and amend judgment, filed. hm	
3-25	54.	Brief in support of pltf's mo/vacate & amend judgment, filed. hm	
3-25	MO:	Ordered that deft. file resp. brief within 10 days to pltf's mo/vacate & amend judgment. (HDC-J)hm	
3-28	55.	Bill of costs, in amt. of \$234.50, filed by def. Cost hearing set before Clerk for 4/12/77 at 10 a.m.(JCS-Clk)rm	
3-28	56.	Motion of def. to assess costs, filed. rm	
4-4	57.	Deft's reply to pltf's motion to amend and vacate, filed. ph	
4-12		Cost hearing held before Clerk. Costs taxed in favor of def. and against pltf. in amt. of \$145.70.(JCS-Clk)rm	
4-18	58.	Pltf's reply to deft's ans. to pltf's mo/amend and vacate, filed. ph w/leave to file out of time. [HDC-J]	
6-10	59.	Order, filed & entered, that pltf's motion to vacate and amend judgment is overruled. (HDC-J)k cps mld	
6-29	60.	Notice of appeal by pltf. from judg. of 3/17/77 and order overruling mo/vacate of 6/10/77, filed. rm (copies to counsel and USCA)	
6-29	61.	Bond for costs on appeal (\$250 check), filed. rm	
7-6	62.	Designation of record on appeal, filed. rm	
7-20		Appeal record (2 vols.) sent to USCA. g	
8-15		Letter, filed, assigning Circuit No. 77-1606. ra	
6-28-79	63.	MANDATE & OPINION of 10th Cir., filed & spread of record, affirming.rm	
6-29	---	APPEAL RECORD (2 vols) received from 10th Cir. rm	
8-5-80	--	DEPOSITION of Lance Leipold returned to pltf. counsel. hm	
1-21-83	64	MOTION of pltf for order directing refund of deposit(\$250.00)a (0 to J)a	
1-24	65	ORDER directing refund of money on deposit with Court Clerk in the amt of \$250.00 to Glenn O. Young, atty. (HDC-J) ck mailed by Court Clerk. bv	